

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VELERON HOLDING, B.V.,

Plaintiff,

v.

12 Civ. 5966 (CM)

BNP PARIBAS SA, *et al.*

Defendants.

**NOTICE OF MOTION TO DISMISS THE FIRST AMENDED COMPLAINT
PURSUANT TO RULE 12(b)(2)
ON BEHALF OF NEXGEN CAPITAL LIMITED**

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in support of this motion, the Declaration of Anthony M. Candido dated January 18, 2013 and the exhibits attached thereto, the Declaration of Nicola O'Connell dated November 16, 2012 and the exhibits attached thereto, and upon the pleadings herein, Defendant Nexgen Capital Limited, by its attorneys, Clifford Chance US LLP, will move this Court, before the Honorable Colleen McMahon, United States District Judge, at the United State District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, for an order granting its Motion to Dismiss the First Amended Complaint with prejudice for lack of personal jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure.

Dated: New York, New York
January 18, 2013

Respectfully submitted,

/s/
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